



Attorney's Docket 10502-002901 / 256-128US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : McKerracher et al.  
Serial No. : 09/184,572  
Filed : November 2, 1998  
Title : RHO FAMILY ANTAGONISTS AND THEIR USE TO BLOCK INHIBITION  
OF NEURITE OUTGROWTH

Art Unit : 1651  
Examiner : Phuong Bui

#10  
W. Lawton  
3/25/00

Assistant Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the action mailed December 22, 1999, Applicants elect the invention of Group I (claims 22-24, 30, 31) drawn to the embodiment of methods of overcoming growth inhibition from chemorepulsive factors in a central or peripheral nervous system and of suppressing the inhibition of neuronal axonal growth. The election is made with traverse. In Examples I and II of the instant application, Applicants have clearly demonstrated that inactivation of Rho family members by Rho antagonists permits neurite outgrowth and allows neurite extension in the presence of growth inhibitory factors. This in turn can foster the regrowth of injured or degenerating neurons in the peripheral or central nervous system.

On page 3, part 5, of the Office Action, election of a single disclosed species was requested under 35 U.S.C. §121, if no generic claim is finally held to be allowable. Applicants assert that the elected claims are directed towards a single invention, a method of overcoming growth inhibition from chemorepulsive factors in a central or peripheral nervous system of a subject. Dependent claim 24 specifies a group of candidate Rho antagonists as optional embodiments of the singular method of the invention. For this reason, Applicants traverse and respectfully request that the Examiner withdraw this species restriction requirement. Applicants provisionally elect the ADP-ribosyl transferase C3 antagonist species.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

February 22, 2000

Date of Deposit

Signature

*Paula T. Romeo*

Paula T. Romeo

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In regard to the compound or activity being antagonized, Applicants submit that the relevant embodiments are not specified by the elected claims, but by the claims of Group II. Thus, Applicants should not be required to elect a species from the group of compounds or activities. Applicants traverse and respectfully request that the Examiner withdraw this species restriction requirement. Applicants provisionally elect the Rho compound species.

Further and favorable consideration of claims 22-24, 30 and 31 of record on the merits is respectfully requested. Claims 22, 23, 25, and 29-31 are generic.

The Applicants urge the Examiner to contact the Applicants' undersigned representative if the Examiner believes that this would expedite prosecution of this application.

A Petition for an Extension of Time (one month) and the requisite fees are attached herewith. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 2/22/00

Stuart Macphail  
Stuart Macphail, Ph.D.  
Reg. No. 44,217

Fish & Richardson P.C.  
45 Rockefeller Plaza, Suite 2800  
New York, NY 10111  
Telephone: (212) 765-5070  
Facsimile: (212) 258-2291